

United States Court of Appeals For the First Circuit

Nos. 13-1019
13-1020

ALBERT GONZALEZ,

Petitioner, Appellant,

v.

UNITED STATES,

Respondent, Appellee.

Before

Lynch, Chief Judge,
Torruella and Howard, Circuit Judges.

JUDGMENT

Entered: July 1, 2013

Petitioner Albert Gonzalez seeks a certificate of appealability ("COA") from the district court's denial of his petition under 28 U.S.C. § 2255. Because he did not file a COA memorandum either here or with the district court, we use his § 2255 petition as the basis for his arguments. Having considered the record and Gonzalez's various arguments, we conclude that he has failed to make a "substantial showing of the denial of a constitutional right." See 28 U.S.C. § 2253(c)(2). We deny his request for a COA for substantially the reasons cited in the district court's (Saris, J.) memorandum and order of November 8, 2012 disposing of his § 2255 motion.

Accordingly, Gonzalez's request for a petition for a COA is denied, and his appeal is terminated.

By the Court:
/s/ Margaret Carter, Clerk.

cc: Albert Gonzalez, Donald Cabell, Dina Chaitowitz, Stephen Heymann, Veronica Lei